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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BROUSSARD, COREY M

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/824,788

Applicant(s)

SURA ET AL.

Examiner

Corey M. Broussard

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "member" of claim 9 and 10, and the "spring coupled to the housing and the cam" of claim 6 must be shown or the feature canceled from the claims. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "48" has been used to designate both "spring" and "removal protrusion". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 9 and 10 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. A proper explanation of the "member" feature critical or essential to the practice of the invention, but not included in the claims is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). The significance of the "member" feature is unclear. What new and useful function does

the "member" provide that the latch as disclosed in the instant application cannot accomplish alone?

5. Claim 17 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The disclosure fails to explain how the latch is capable of rotational motion with respect to the cylinder while the cylinder is also rotating.

Claim Rejections - 35 USC § 102

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1 and 15 are rejected under 35 U.S.C. 102(a) as being anticipated by Davis et al. (US 2003/0081399). With respect to claim 1, Davis teaches an information handling system (10) comprising: a housing (5) having an interior, and exterior, an opening (see Fig. 3) and one or more coupling points (90); plural processing components disposed in the housing and operable to process information ([0029] lines 7-14); a lid (25) sized to cover the opening, the lid having a latch catch (70), couplings (100) aligned to engage the coupling points, and a lid removal protrusion (surface of 70 that comes in contact with ramp 180) extending into the housing; a latch (160) coupled to the housing and aligned to engage the latch catch to secure the lid to the housing ([0036] lines 5-6); and an actuator (30) coupled to the housing and accessible to the housing exterior (see Fig. 3), the actuator aligned to disengage the latch catch from the

latch ([0040]) and to provide a lid removing force to the lid removal protrusion ([0039] lines 4-7).

7. With respect to claim 15, the method for removing an information handling system lid from an associated housing is inherent in the structure of Davis, Davis teaches moving an actuator (30) from a secured position to an unsecured position (see Fig. 6 and 7, [0039] lines 4-7 and [0040]); contacting with initial actuator movement from the secured position a release that frees the lid from the housing ([0045] lines 1-3); pushing by subsequent actuator movement the lid from the housing ([0039] lines 4-7).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-14 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (US 2003/0081399) in view of Sisler (PN 4,501,460).

With respect to claim 2, Davis teaches the device as applied to claim 1 above. Davis lacks a cam rotationally coupled to the housing having a latch push and inclined surface. Sisler teaches an actuator (37) comprising of a cam (rotational movement of 37 confers linear motion to 50) rotationally coupled to the housing, the cam having a latch push (42) operable to push the latch to a disengaged position upon initiation of

rotation (42 engages 50 at 75 and provides for movement of 50 to first and second positions, col 4 15-18) and an inclined surface (43) operable to push the lid from the housing (col 4 lines 46-51). It would have been obvious to a person of ordinary skill in the art to combine the tool-less access cover of Davis with the rotating cam actuator of Sisler to obtain an improved latching mechanism for the benefit of a more secure lock that requires less force to open.

10. With respect to claim 3, Davis teaches wherein the lid couplings (100) comprise hooks and the housing coupling points (90) comprise slots, the hooks operable to engage the slots by sliding the lid relative to the housing (the hooks slide into the housing), the latch (160) securing the lid to the housing by engaging the latch catch to prevent sliding of the lid relative to the housing.

11. With respect to claim 4, Davis lacks a rotating cam. Sisler teaches that the cam surface inclines (43) so that rotation of the cam slides the lid relative to the housing to release the hooks from the engagement with the slots (col 4 lines 46-51). It would have been obvious to a person of ordinary skill in the art to combine the tool-less access cover of Davis with the rotating cam actuator of Sisler to obtain an improved latching mechanism for the benefit of a more secure lock that requires less force to open.

12. With respect to claim 5, Sisler teaches wherein the hooks release from the slots with approximately ninety degrees rotation of the cam (col 4 line 19, approximately 100 degrees is equivalent to approximately 90 degrees).

13. With respect to claim 6, Davis teaches a spring coupled to the housing, actuator, and latch (see Fig 6 and 7, the spring is coupled to the actuator via 160 and 190), the

spring operable to bias the actuator and latch to a position that allows the latch to engage the latch catch (see [0037]). Davis lacks a cam as part of the actuator. Sisler teaches a cam as part of an actuator for engaging/disengaging a latch for a panel. It would have been obvious to a person of ordinary skill in the art to combine the tool-less access cover of Davis with the rotating cam actuator of Sisler to obtain an improved latching mechanism for the benefit of a more secure lock that requires less force to open.

14. With respect to claim 8, Davis teaches a system of removing an information handling system lid (25) comprising: a latch (160) operable to couple to the housing and movable between a closed position that engages a latch catch (70) of the lid to secure the lid to the housing (5) and an open position that disengages the latch catch of the lid to release the lid from the housing (see Fig. 6 and 7, [0036] lines 5-6, [0045] lines 1-3); and an actuator (30) operable to move from a lid-secured position (Fig. 6) to a lid-unsecured position (Fig. 7), the actuator having a surface aligned to move the latch from the closed position to the open position upon initial movement of the actuator from the lid-secured to the lid-unsecured position (see Fig. 6 and 7, [0036] lines 5-6, [0045] lines 1-3). Davis lacks an actuator with a second surface aligned to push the lid from the secured position upon subsequent movement of the actuator to the lid-unsecured position. Sisler teaches an actuator (37) having first and second surfaces, the first surface (42) aligned to move the latch from the closed position to the open position upon initial movement of the actuator from the lid-secured to the lid unsecured position (col 4 lines 10-19), the second surface (43) aligned to push the lid from the secured

position upon subsequent movement of the actuator to the lid-unsecured position (col 4 lines 46-51). It would have been obvious to a person of ordinary skill in the art to combine the tool-less access cover of Davis with the rotating cam actuator of Sisler to obtain an improved latching mechanism for the benefit of a more secure lock that requires less force to open.

15. With respect to claim 9, Davis teaches a latch (160) comprising a member (170) operable to selectively block sliding movement of a post (70) extending from the lid.

16. With respect to claim 10, Davis teaches where the member (170) has a blocking surface (surface internal surface of 170, see Fig 8) that engages the post (70) and an opposing surface (outer sloped end of 170) having an incline operable to translate a sliding force applied by the post to move the latch to an open position to insert the post in the latch.

17. With respect to claim 11, Sisler teaches where: the actuator (37) is further operable to rotationally couple to the housing (see Fig. 1) and rotate from a closed position to an open position; the first surface comprises a latch push (42) disposed to push the latch to an open position (rotation of the actuator in a counterclockwise direction in the arrangement show in Fig. 1 would push the latch to an open position) upon initiation of rotation and hold the latch in the open position as rotation continues (col 5 lines 9-15, the device preferably provides more draw than is needed, therefore the latch bar would achieve an open position before the latch push is fully rotated, thus maintaining the latch in the open position as rotation continues); and the second surface (43) comprises a cam (see Fig. 1) disposed to engage the lid after initiation of rotation,

the cam pushing the lid an increasing distance as the rotation continues (col 4 lines 46-51).

18. With respect to claim 12, Davis teaches a post (70) extending from the lid (25) aligned to engage the ramp (180) of the latch (160); hooks (100) extending from the lid; and coupling points (90) formed in the housing (5), the coupling points aligned to accept the hooks in a sliding engagement. Davis lacks a cam. Sisler teaches a cam actuator (37) aligned to engage the lid (see Fig. 1). It would have been obvious to a person of ordinary skill in the art to use the cam actuator of Sisler with the latching mechanism of Davis where the post engages the cam actuator through the latching member for the benefit of a more secure lock that requires less force to open and can be closed and engaged by applying force to the lid pushing it together with the chassis.

19. With respect to claims 13 and 14, Davis teaches of a spring (see Fig. 6 and 7, [0037] line 1) disposed to bias the actuator to a lid-secured position and the latch to a closed position.

20. With respect to claim 16, Davis teaches the method as described in claim 15 above. Davis lacks a rotating actuator. The method of removing a lid from an associated housing is inherent in the structure of Sisler. Sisler teaches a rotating handle (40) external to the housing (see Fig. 1) that translates rotation force internal to the housing to release and move the lid (col 4 lines 46-51). It would have been obvious to a person of ordinary skill in the art to combine the tool-less access cover of Davis with the rotating cam actuator of Sisler to obtain an improved latching mechanism for the benefit of a more secure lock that requires less force to open.

21. With respect to claim 17, Sisler teaches rotating a cylinder (37) connected to a latch that pushes the latch to an open position and frees a lid post (30) from a latch catch; and maintains the latch in the open position against the cylinder as the cylinder rotates (col 5 lines 9-15, the device preferably provides more draw than is needed, therefore the latch bar would achieve an open position before the latch push is fully rotated, thus maintaining the latch in the open position as rotation continues).

22. With respect to claim 18, Sisler teaches pushing by subsequent actuator (37) movement further comprises pushing the lid post (30) out of the latch catch (col 4 lines 46-51).

23. With respect to claim 19 and 20, Davis lacks a rotating cam surface. Sisler teaches where the actuator movement engages an inclined cam surface (43) with the lid, pushes the lid an increasing distance as the inclined cam surface rotates, and moves the lid enough distance to free the lid hooks from the housing slots (32, col 4 lines 46-51). It would have been obvious to a person of ordinary skill in the art to use the cam actuator of Sisler with the latching mechanism of Davis where the post engages the cam actuator through the latching member for the benefit of a more secure lock that requires less force to open and can be closed and engaged by applying force to the lid pushing it together with the chassis.

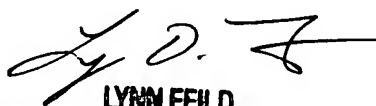
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey M. Broussard whose telephone number is 571 272 2799. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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